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IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TWENTY EIGHTH DAY OF JANUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO: 832 of 2005

Between:

- 1 N. Vishwa Prasad, S/o. Narayana,
R/o. Sarneganipalli, Shantipuram Mandal, Chittoor District.
- 2 Gnana Prasad, S/o. Narayana,
R/o. Sarneganipalli, Shantipuram Mandal, Chittoor District.
- 3 Randheer Pratap, S/o. Narayana,
R/o. Sarneganipalli, Shantipuram Mandal, Chittoor District.

... PETITIONERS

AND

- 1 Joint Collector, Chittoor District, Chittoor.
- 2 The Mandal Revenue Officer, Shantipuram Mandal, Chittoor
District.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an appropriate Order, writ or Direction more particularly one in the nature of Writ of Mandamus, declaring the action of the respondents in trying to dispossess the petitioners from their assigned lands during the pendency of the appeal before the Commissioner of Land Administration, Hyderabad, without having regard to facts, law and circumstances and trying to put their livelihood at stake as illegal, arbitrary and violative of principles of natural justice and pass such other order or orders

Counsel for the Petitioner: MR.Y.VENUGOPAL REDDY

Counsel for the Respondents: GP FOR REVENUE

The Court, at the admission stage, made the following:

ORDER:

Heard the learned counsel for the petitioner and the learned Government Pleader for Revenue appearing on behalf of the respondents and with their consent, the writ petition is being disposed of finally at the admission stage.

2. In this writ petition, petitioner is challenging the proceedings dated 16-03-2004 passed by first respondent, Joint Collector in D.Dis (E3) 4864/2000 directing the Mandal Revenue Officer, Santhipuram to resume the land of the petitioner to Government and to reassign the land against which, petitioner is said to have preferred an appeal before the Commissioner of Land Administration, Hyderabad in the month of January, 2004 along with a suspension petition, but the Commissioner neither disposed of the appeal nor passed any orders on the suspension petition.

3. Under those circumstances, I deem it appropriate to dispose of the writ petition directing the Chief Commissioner, Land Administration either to dispose of the appeal filed by the petitioner or consider passing orders in the interlocutory application filed in the appeal, expeditiously, in accordance with law. Till such time, status quo obtaining as on today shall be maintained.

The writ petition is accordingly disposed of at the admission stage.

N.V. RAMANA, J

January 28, 2005

MRR

COPY TO:

1 The Chief Commissioner of Land Administration, Hyderabad.

2 Joint Collector, Chittoor District, Chittoor.

3 The Mandal Revenue Officer, Shantipuram Mandal, Chittoor District.

4 Two C.C. s to the G.P. for Revenue, High Court Buildings, Hyderabad (OUT)

5 Two C.D. Copies.